

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

.)		
JAMIE L. HERRON,)	
Plaintiff,)	
)	
v.)	C. A. No.1:06cv49-LG-RHW
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security,)	
Defendant.)	
. /)	

**AGREED FINAL JUDGMENT REMANDING CASE
UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g)**

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the agreement of the parties to a remand of this action for further development of the record by an administrative law judge ("ALJ"),

IT IS HEREBY ORDERED AND ADJUDGED that the Commissioner's decision be, and it is hereby, reversed with a remand of this action to the Commissioner under sentence four of 42 U.S.C. § 405(g).

IT IS FURTHER ORDERED AND ADJUDGED that upon remand the Appeals Council will instruct the ALJ to further develop the record by obtaining plaintiff's updated treatment records. The ALJ shall then re-assess the severity of plaintiff's alleged impairments and her RFC, addressing the credibility of her subjective symptomatic complaints in accordance with the

provisions of 20 C.F.R. § 416.929 and SSR 96-7p. If another administrative hearing is either requested by the plaintiff or determined to be necessary by the ALJ, then the ALJ shall hold another administrative hearing; however, it shall be left to the discretion of the ALJ as to whether vocational expert testimony is needed to determine the effect of a revised RFC on plaintiff's access to the relevant occupational base. The ALJ shall then issue a new decision based on the total record.

SO ORDERED AND ADJUDGED on this, the 9th day of May, 2006.

s/ Robert H. Walker
UNITED STATES MAGISTRATE JUDGE

AGREED TO:

s/G. Gerald Cruthird
G. Gerald Cruthird
Attorney for Plaintiff

s/Stephen R. Graben
STEPHEN R. GRABEN
Assistant U.S. Attorney
Attorney for Defendant